

REMARKS/ARGUMENTS

Claims 1-10 are pending in the present application. In the Office Action mailed June 1, 2005, the Examiner rejected claims 1-10 under 35 U.S.C. § 103.

Reconsideration is respectfully requested in view of the above amendments to the claims and the following remarks.

I. Rejection of Claims 1-4 and 7-8 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-4 and 7-8 under 35 U.S.C. § 103(a) based on U.S. Patent No. 5,937,232 to Taguchi (hereinafter "Taguchi") in view of U.S. Patent No. 5,973,802 to Hirota (hereinafter "Hirota"). This rejection is respectfully traversed.

The M.P.E.P. states that

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

M.P.E.P. § 2142.

Applicants respectfully submit that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the limitations in these claims. Specifically, as a result of this paper, independent claims 1 and 8 recite the limitation that "the

transform function comprises at least one sigmoidal-shaped curve.” Support for this limitation can be found throughout Applicants’ specification including page 4, lines 3-23 and Figures 3 and 4. However, to the extent that either Hirota or Taguchi may be interpreted as teaching a “transform” that will adjust the color values, Applicants can find no disclosure in either of these references that the “transform function comprises at least one sigmoidal-shaped curve.” Accordingly, because this limitation is not taught or suggested by these references, these claims cannot be rejected under 35 U.S.C. § 103(a). Withdrawal of this rejection is respectfully requested.

Claims 2-4 and 7 depend either directly or indirectly from claim 1. Accordingly, Applicants respectfully request that the rejection of claims 2-4 and 7 be withdrawn for at least the same reasons as those presented above in connection with claim 1.

II. Rejection of Claims 5-6 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 5-6 under 35 U.S.C. § 103(a) based on Taguchi in view of Hirota and in further view of U.S. Patent No. 5,737,032 to Stenzel (hereinafter “Stenzel”). This rejection is respectfully traversed.

As noted above, a rejection under 35 U.S.C. § 103(a) requires that all of the claimed limitations be taught or suggested by the cited references. *See* MPEP § 2143.03. As noted above, Taguchi and Hirota do not teach or suggest the limitation that the “transform function comprise[] at least one sigmoidal-shaped curve.” Applicants respectfully submit that the Stenzel also fails to teach or suggest this limitation. Accordingly, claims 5 and 6 are likewise patentable over this combination of references. Withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 9-10 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 9-10 under 35 U.S.C. § 103(a) based on Taguchi in view of Hirota and in further view of U.S. Patent No. 5,666,293 to Metz (hereinafter “Metz”). This rejection is respectfully traversed.

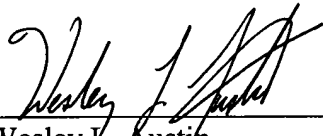
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Again, a rejection under 35 U.S.C. § 103(a) requires that all of the claimed limitations be taught or suggested by the cited references. *See* MPEP § 2143.03. As noted above, Taguchi and Hirota do not teach or suggest the limitation that the “transform function comprise[] at least one sigmoidal-shaped curve.” Applicants respectfully submit that the Metz likewise fails to teach or suggest this limitation. Accordingly, claims 9 and 10 are likewise patentable over this combination of references. Withdrawal of this rejection is respectfully requested.

IV. Conclusion

Applicants respectfully assert that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,



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